

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BEFORE: JAMES M. WICKS, U.S. MAGISTRATE JUDGE

DATE: 8/16/2022

TIME: 3:14-3:35

☐ SEALED PROCEEDING

**CIVIL CAUSE FOR MOTION HEARING**

CASE: 2:19-cv-02236-JMA-JMW Volpe et. al. v. Ryder et. al.

FILED  
CLERK

APPEARANCES:

8/16/2022 5:00pm

For Plaintiff: Gina M. Arnedos (Charles Volpe)

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

For Defendants: Matthew J. Mehnert

Court Reporter/FTR: Paul Lombardi

**THE FOLLOWING RULINGS WERE MADE:**

☒ Motion Hearing held. Argument was heard from both parties. Decision was reserved on Plaintiff's motion to strike [DE 105]. For the reasons stated on the record, the Court hereby orders the following: (1) Defendants are to produce to the Court a copy of the flash drive containing the search reports as it was produced to Plaintiff on or before August 19, 2022; (2) the individual from the Nassau County Police Department's Electronics Squad who conducted the search on Defendant Commissioner Ryder's cell phone is to appear for a deposition to be taken by Plaintiff on or before **September 2, 2022**; (3) Defendant Commissioner Ryder is to appear for a full-day deposition to be taken by Plaintiff on or before **September 15, 2022**, with the deposition taking place in the course of one day; and (4) Defendant Commissioner Ryder is directed to file a sworn statement, either by Affidavit or Declaration, attesting to whether his personal cell phone has ever been used for work-related purposes or not, on or before August 22, 2022.

☒ The remaining deadlines are amended as follows: The last date for the parties to take the first step in summary judgment is **October 5, 2022**. The Final Pretrial Conference, currently scheduled for September 12, 2022, is hereby adjourned to **October 14, 2022, at 1:00 PM** via the Court's video Zoom. The Court will forward the Zoom invitation closer to the conference date. One week prior to the Final Pretrial Conference, the parties shall file the proposed Joint Pretrial Order consistent with the requirements of Rule VI.A of the Individual Rules of the Hon. Joan M. Azrack.

THE PARTIES ARE REMINDED that audio or video recording of proceedings by any party other than the Court is strictly prohibited by Local Civil Rule 1.8. Violation of this rule may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court.

SO ORDERED

/s/ *James M. Wicks*

JAMES M. WICKS

United States Magistrate Judge